

Sheboygan County Chamber of Commerce
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Sheboygan, WI 53081

February 13, 2017

VIA ELECTRONIC SUBMISSION

U.S. Environmental Protection Agency
WJC West Building, Room 334
1301 Constitution Avenue NW
Washington, DC 20004
Attention: Docket ID No. EPA-HQ-OAR-2016-0202

Subject: Comments on the Proposed Implementation Rule for the 2015 National Ambient Air Quality Standards for Ozone

Dear U.S. EPA Administrator,

On November 17, 2016, the U.S. Environmental Protection Agency (EPA) published in the Federal Register its proposal for implementation of the 2015 ozone National Ambient Air Quality Standards (NAAQS) [**81 FR 81276**].¹ The Proposed Rule primarily pertains to nonattainment area classification thresholds and corresponding attainment dates, State Implementation Plan (SIP) requirements and deadlines, and options for the revocation of the 2008 ozone NAAQS.

The Sheboygan County Ozone Nonattainment Task Force ("Task Force") respectfully submits these comments on the Proposed Rule.² The Task Force is a voluntary coalition of federal, state and local representatives, local businesses, and other members organized by the Sheboygan County Chamber of Commerce. The Task Force was recently formed to address the ongoing ozone nonattainment situation in Sheboygan County, Wisconsin.

Sheboygan County continues to bear the burden of ozone nonattainment despite significant reductions of ozone precursor emissions. For example, emissions of nitrogen oxides (NO_x) have declined 47 percent from 2008 to 2014, while emissions of volatile organic compounds (VOC) have declined 39 percent over the same time period based on data from the EPA's National Emissions Inventory (NEI).³ Regardless of these significant emission reductions in the county, ozone nonattainment persists, primarily because the ozone monitor used to determine compliance, the Kohler Andrae ozone monitor (*Site ID: 55-117-0006*), does not typically measure impacts from Sheboygan County emissions. In fact, the EPA has explicitly acknowledged this by stating "*the Kohler Andrae monitor was not placed to monitor the maximum downwind impacts from the urbanized portion of the Sheboygan area, but to capture maximum downwind impacts of several urban areas along Lake Michigan.*"⁴ Furthermore,

¹ Official Proposed Rule Title: "Implementation of the 2015 National Ambient Air Quality Standards for Ozone: Nonattainment Area Classifications and State Implementation Plan Requirements."

² Attached is a list of Task Force members who support these comments.

³ <https://www.epa.gov/air-emissions-inventories>

⁴ **81 FR 91841**

modeling conducted by the Lake Michigan Air Directors Consortium (LADCO) has shown that the **entire State of Wisconsin** contributes less than 10 percent to the ozone monitored at the Kohler Andrae monitor and while contribution modeling solely for Sheboygan County emission sources is not available; their contribution is likely very small.⁵ This is because the Kohler Andrae monitor is located south (*i.e., upwind*) of the majority of emission sources in Sheboygan County. In an effort to better assess the impact of Sheboygan County emission sources, the State of Wisconsin established an additional ozone monitor north of the city, the Haven monitor (*Site ID: 55-117-0009*). Data from this ozone monitor has been very encouraging and notably, the calculated ozone design value from 2014 through 2016 was over 12 percent lower than the design value from the Kohler Andrae monitor. In fact, the ozone design value at the Haven monitor is below all federal ozone standards, including the 2015 ozone NAAQS. In short, the county is being penalized with increased regulatory requirements for a problem it has little to no control over and for which any further emission reductions are unlikely to have any impact at the Kohler Andrae ozone monitor.

The Task Force specifically provides comment on the EPA's two options for revoking the 2008 ozone NAAQS. The first option is to revoke the 2008 ozone NAAQS at the same time for all areas of the U.S. The second option would only revoke the 2008 ozone NAAQS for areas currently designated as attainment areas. The EPA would retain the 2008 ozone NAAQS for areas designated nonattainment under this standard until the area was formally redesignated. The Task Force urges the EPA to finalize the first option – revoke the 2008 ozone NAAQS at the same time for all areas of the U.S. The Task Force supports this option for the following reasons:

- First, it is protective of public health because all areas will still be subject to the more stringent 2015 ozone NAAQS. In addition, it is much easier to communicate to the general public about the ozone standard if there is only one in place.
- Second, it is consistent with the approach used when the EPA transitioned from other prior ozone standards, including the 1-hour and 1997 ozone NAAQS.
- Third, it would not subject areas, such as Sheboygan County, to multiple ozone standards, each with its own set of requirements and deadlines.
- Fourth, should the EPA determine that a nonattainment designation is warranted for the 2015 ozone NAAQS in Sheboygan County, this approach would allow the state and county to discuss a proper ozone nonattainment boundary with the EPA. Currently, the nonattainment area encompasses all of Sheboygan County even though the Haven monitor, which is located approximately 3 miles from Lake Michigan, is monitoring well below the 2008 ozone NAAQS. The State of Wisconsin has unsuccessfully asked the EPA multiple times to revise this nonattainment boundary. The EPA has stated that it would only consider information from this monitor for *"making nonattainment area boundary decisions for any future ozone designations."*⁶

Thank you for your serious consideration of these comments. The Task Force looks forward to future dialogue with the EPA regarding ozone concentrations and designations in Sheboygan County. Please feel free to contact me at (920) 395 – 8707 if you have any questions on these comments or would like any additional information.

⁵ http://www.ladco.org/reports/ozone/post08/Great_Lakes_Ozone_Study_White_Paper_Draft_v6.pdf

⁶ 81 FR 91841

Respectfully,

Jane Brill
Sheboygan County Chamber of Commerce

Sheboygan County Ozone Nonattainment Task Force Members In Support

The Honorable Devin LeMahieu, State Senator of Wisconsin's 9th Senate District
The Honorable Tyler Vorpapel, State Representative of Wisconsin's 27th Assembly District
The Honorable Terry Katsma, State Representative of Wisconsin's 26th Assembly District
The Honorable Mike Vandersteen, Mayor of Sheboygan
The Honorable Randy Meyer, Mayor of Sheboygan Falls
Aldag Honold Mechanical Inc.
Alliant Energy Corporation
Bay Lake Regional Planning Commission
Jeff Plass, Director Global EHS- Kohler Company
Mark McCabe, Vice President –McClone
Mark Mauer, Vice President Business Banking-Investors Community Bank
Nemak USA Inc.
Plymouth Foam
Rohde Dales, LLC
Sargento Foods Inc
Sheboygan County Chamber of Commerce
Sheboygan County Economic Development Corporation
Sheboygan Paint Company
Short Elliott Hendrickson, Inc.
Steve Schouten, General Manager – Midwest Communications Company
The GameBoard, LLC
Wisconsin Manufacturers and Commerce (WMC)
Zimmermann Printing Company